

§ 585.102

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and the terms of your lease, ROW grant, RUE grant, or Alternate Use RUE grant.

(d) This part will not convey access rights for oil, gas, or other minerals.

§ 585.102 What are BOEM's responsibilities under this part?

(a) BOEM will ensure that any activities authorized in this part are carried out in a manner that provides for:

- (1) Safety;
- (2) Protection of the environment;
- (3) Prevention of waste;
- (4) Conservation of the natural resources of the OCS;
- (5) Coordination with relevant Federal agencies (including, in particular, those agencies involved in planning activities that are undertaken to avoid conflicts among users and maximize the economic and ecological benefits of the OCS, including multifaceted spatial planning efforts);
- (6) Protection of National security interests of the United States;
- (7) Protection of the rights of other authorized users of the OCS;
- (8) A fair return to the United States;
- (9) Prevention of interference with reasonable uses (as determined by the Secretary or Director) of the exclusive economic zone, the high seas, and the territorial seas;
- (10) Consideration of the location of and any schedule relating to a lease or grant under this part for an area of the OCS, and any other use of the sea or seabed;
- (11) Public notice and comment on any proposal submitted for a lease or grant under this part; and
- (12) Oversight, inspection, research, monitoring, and enforcement of activities authorized by a lease or grant under this part.

(b) BOEM will require compliance with all applicable laws, regulations, other requirements, and the terms of your lease or grant under this part and approved plans. BOEM will approve, disapprove, or approve with conditions any plans, applications, or other documents submitted to BOEM for approval under the provisions of this part.

(c) Unless otherwise provided in this part, BOEM may give oral directives or decisions whenever prior BOEM approval is required under this part.

BOEM will document in writing any such oral directives within 10 business days.

(d) BOEM will establish practices and procedures to govern the collection of all payments due to the Federal Government, including any cost recovery fees, rents, operating fees, and other fees or payments. BOEM will do this in accordance with the terms of this part, the leasing notice, the lease or grant under this part, and applicable Office of Natural Resources Revenue regulations or guidance.

(e) BOEM will provide for coordination and consultation with the Governor of any State, the executive of any local government, and the executive of any Indian Tribe that may be affected by a lease, easement, or ROW under this subsection. BOEM may invite any affected State Governor, representative of an affected Indian Tribe, and affected local government executive to join in establishing a task force or other joint planning or coordination agreement in carrying out our responsibilities under this part.

[76 FR 64623, Oct. 18, 2011, as amended at 79 FR 21621, Apr. 17, 2014]

§ 585.103 When may BOEM prescribe or approve departures from these regulations?

(a) BOEM may prescribe or approve departures from these regulations when departures are necessary to:

- (1) Facilitate the appropriate activities on a lease or grant under this part;
- (2) Conserve natural resources;
- (3) Protect life (including human and wildlife), property, or the marine, coastal, or human environment; or
- (4) Protect sites, structures, or objects of historical or archaeological significance.

(b) Any departure approved under this section and its rationale must:

- (1) Be consistent with subsection 8(p) of the OCS Lands Act;
- (2) Protect the environment and the public health and safety to the same degree as if there was no approved departure from the regulations;
- (3) Not impair the rights of third parties; and
- (4) Be documented in writing.